

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

| | | |
|--------------------------|---|--------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | CR NO. 2:05CR119-F |
| |) | |
| DON EUGENE SIEGELMAN |) | |
| RICHARD SCRUSHY |) | |
| GARY MACK ROBERTS |) | |
| PAUL MICHAEL HAMRICK |) | |

ORDER

On November 11, 2005, I entered a memorandum opinion and order denying the defendants' motions seeking my recusal pursuant to 28 U.S.C. § 455. On November 23, 2005, defendant Scrushy filed under seal a motion for reconsideration (doc. # 56) and supporting evidentiary materials. On November 28, 2005, defendant Siegelman filed under seal a motion for reconsideration (doc. # 58) and supporting evidentiary materials. On December 21, 2005, the United States filed its response to these motions as well as additional evidentiary materials.

I have carefully studied the motions, the evidentiary materials, and the case law on which the parties rely. I conclude that the motions for reconsideration which are replete with innuendo, conjecture and speculation are insufficient to warrant reconsideration of my conclusions reached in the November 11, 2005 memorandum opinion and order. Accordingly, it is

ORDERED that the motions for reconsideration be and are hereby DENIED.

Done this 3rd day of January, 2006.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE